

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHAEL BALDO, WILLIAM CITRANO, JASON V. FERRANTE, CLARENCE GRIER, STEPHEN KATZ, JASON LIEBERMAN, FRANK LEON, PAUL LUCIDO, ERIC STAUFENBERG, ERIC TIMMONS, and NORMAN BABAT, on behalf of themselves and all others similarly situated,

08 Civ. 00516 (JSR)

**STIPULATION
AND ORDER**

Plaintiff,

JURY TRIAL
DEMANDED

-against-

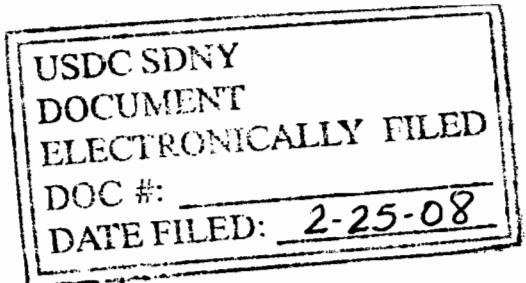
HOMEBRIDGE MORTGAGE BANKERS CORP., NICHOLAS BRATSAFOLIS, JORDAN HARRIS, JAMES CLOONEY, DAVID PANKIN, and JOHN DOES 1-10,

Defendant.

X

IT IS HEREBY STIPULATED by the undersigned attorneys for the Plaintiffs and for Defendants Homebridge Mortgage Bankers Corp. ("Homebridge Mortgage"), Nicholas Bratsofalis, and James Clooney that, with the permission of the Court, the above-captioned civil action shall be transferred to the United States District Court for the Eastern District of New York pursuant to 28 U.S.C. § 1404(a) for the foregoing reasons:

1. This is a civil action filed on January 18, 2008 in which Plaintiffs, former Loan Officers of Defendant Homebridge Mortgage, seek to recover overtime pay and other relief under the Fair Labor Standards Act, 29 U.S.C. §§ 201-219 ("FLSA"), and The New York Labor Law. Plaintiffs seek to bring a collective action under the FLSA and a Rule 23 class action under The New York Labor Law.



2. Three other civil actions were filed in 2007 making similar claims on behalf of Loan Officers against Defendant Homebridge Mortgage and also seeking collective and class action status. One was filed in the United States District Court, Eastern District of New York on March 9, 2007. *Armstrong v. Homebridge Mortgage Bankers Corp.*, 07-CV-1024 (E.D.N.Y.). The other two were filed in the United States District Court, Southern District of Florida. The Complaint in *Saunders v. Homebridge*, 07-CV-5411 (S.D. Fla.), was filed on May 22, 2007. The Complaint in *Meyerson v. Homebridge*, 07-CV-5406 (S.D. Fla.) was filed on June 27, 2007.

3. On December 11, 2007, Judge Kenneth L. Ryskamp of the United States District Court for the Southern District of Florida issued an order granting Defendants' motion to change the venue of the *Saunders* and *Meyerson* cases from the Southern District of Florida to the Eastern District of New York.

4. As a result of Judge Ryskamp's order, *Saunders* and *Meyerson* were transferred to the Eastern District of New York and assigned new case numbers.

5. On January 31, 2008, Judge Joanna Seybert of the Eastern District of New York entered an order consolidating all three cases under the caption *Armstrong v. Homebridge Mortgage Bankers Corp.*, 07-CV-1024. A copy of that Order is attached hereto.

6. Counsel for Plaintiffs and for Defendants Homebridge Mortgage Bankers Corp., Nicholas Bratsofalis, James Clooney agree that transferring this case to the Eastern District of New York, for consolidation with *Armstrong*, is appropriate because these cases involve common questions of law and fact and consolidation would serve the interests of judicial economy. Defendants David Pankin and Jordan Harris have not yet been served with process in this case and, thus, have expressed no opinion on this issue. Neither of them will suffer any prejudice if this case is transferred to the Eastern District of New York.

7. Under 28 U.S.C. § 1404(a), a district court may transfer any civil action to another district “[f]or the convenience of parties and witnesses [and] in the interest of justice.”

8. Accordingly, the parties stipulate that, with the permission of the Court, this case be transferred to the Eastern District of New York pursuant to 28 U.S.C. § 1404(a).

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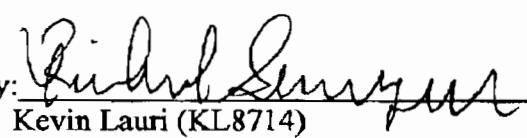
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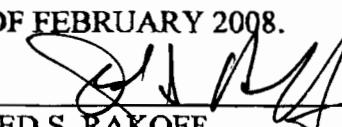
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*Attorneys for Defendants Homebridge
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and James Clooney*

IT IS SO ORDERED THIS 21st DAY
OF FEBRUARY 2008.



JED S. RAKOFF
UNITED STATES DISTRICT JUDGE